

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY DAVIS,

No. C 08-5342 WHA (PR)

Plaintiff,

ORDER OF DISMISSAL

vs.

INTERNAL REVENUE SERVICE
OAKLAND DISCLOSURE OFFICE,

Defendant.
_____ /

This is a pro se civil rights complaint filed by a federal prisoner who is housed in West Virginia. He claims that the Oakland office of the IRS violated the Freedom of Information Act and the Privacy Act.

Because it appeared that plaintiff has had three or more prior cases dismissed as frivolous, malicious, or for failure to state a claim upon which relief could be granted, he was ordered to show cause why in forma pauperis status should not be denied. *See* 28 U.S.C. 1915(g). He was warned that if he did not either show cause why IFP status should not be denied or pay the filing fee, the case would be dismissed. He has not responded.

This case is **DISMISSED** without prejudice. The clerk shall close the file.

IT IS SO ORDERED.

Dated: February 26, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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